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2628

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/026,935

Confirmation No. : 7292

Applicant : Alan Sullivan et al.

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Date of Deposit: December 19, 2006

Filed : December 18, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

TC/A.U. : 2628

Name: John Ellison

Examiner : Tam D. Tran

Signature: John Ellison

Docket No. : 50009/40 (formerly 30231/40)

Customer No. : 1912

COMMUNICATION AND INTERVIEW SUMMARY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned wishes to thank Examiner Tran for the courtesy of a very helpful telephone interview on Wednesday, December 13, 2006 to discuss the finality of the September 19, 2006 Office Action in the above-referenced application and the patentability of the pending method claims under 35 U.S.C. § 101.

As the result of the December 13, 2006 telephone interview, it was agreed that a Proposed Amendment be submitted to the Examiner via e-mail to propose the discussed changes to the rejected claims which the Examiner indicated during the telephone interview should overcome the rejection under 35 U.S.C. § 101. An unsigned copy of the Proposed Amendment was duly submitted via e-mail to Examiner Tran on December 14, 2006.

The undersigned further wishes to acknowledge with thanks receipt of a December 18, 2006 e-mail from Examiner Tran, which advised that Examiner Tran will prepare an Examiner's Amendment based on the Proposed Amendment. Based on Examiner Tran's e-mail advice, we presume that a Notice of Allowability will be issued in due course, with an Examiner's Amendment of all of the pending claims which will track our Proposed Amendment, and that there is no need to file a formal response to the September 19, 2006 Office Action. If any response is needed, it is respectfully requested that the Examiner provide notification thereof to the undersigned attorney.

We look forward to receiving a timely Notice of Allowability with the Examiner's Amendment based on our Proposed Amendment for the above-referenced application.

No fees or extensions of time are believed to be due in connection with filing of this Communication. However, authorization is hereby given to charge Deposit Account No. 01-1785 for any fees necessary to preserve the pendency of the subject application.

Respectfully submitted,

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Dated: New York, New York  
December 19, 2006

By: Abraham Kasdan  
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